

September 22, 2005

**VIA ELECTRONIC FILING**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
The Portals  
445 12th Street, S.W.  
Washington, D.C. 20554

**Re: Subscriber Acknowledgement Report (September 22, 2005)  
McLeodUSA Telecommunications Services, Inc; WC Docket No. 05-196**

Dear Ms. Dortch:

McLeodUSA Telecommunications Services, Inc., (“McLeodUSA”), through its under-signed counsel and in response to the Commission’s VoIP E911 Order (“Order”) and the Public Notice issued by the Enforcement Bureau (“Bureau”) on August 26, 2005 (“Public Notice”), submits this Subscriber Acknowledgement Report (“Report”) to advise the Commission of the status of McLeodUSA’s efforts to inform its customers of certain risks when subscribing to McLeodUSA’s Dynamic Integrated Access (“DIA”) services that uses Voice Over Internet Protocol (“VoIP”). McLeodUSA previously filed two Subscriber Acknowledgement Report with the Commission. The first one was filed on August 10, 2005 in response to the Bureau’s July 26, 2005 Public Notice (“August 10 Report”), and the second one was filed on September 1, 2005 in response to the Bureau’s August 26, 2005 Public Notice (“September 1 Report”).

For the reasons noted in McLeodUSA’s August 10 Report, McLeodUSA continues to maintain that its DIA service is not subject to Commission Rule 9.5(e) since it does not meet the four-pronged test adopted by the FCC. It is also important to note that McLeodUSA only assigns telephone numbers that are directly trunked to the applicable PSAP using all standard routing protocols so that a McLeodUSA customer subscribing to DIA does have E911 service today.

However, because McLeodUSA agrees with the importance of adequately informing its business customers of the risks identified by the FCC with respect to E911 service availability, McLeodUSA is, in the interest of its customers, following the procedures required of VoIP providers that are subject to Commission Rule 9.5(e), including advising the FCC of its progress in contacting and receiving confirmation from its subscribers.

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As requested in the Public Notice, McLeodUSA responds to the following questions set out in the Public Notice:

- 1) **A detailed explanation regarding current compliance with the notice and warning sticker requirements *if* the provider did not notify and issue warning stickers or labels to 100% of its subscribers by the July 29, 2005 deadline. Providers expected to update this information include those that were in the process of providing notice and/or stickers to their subscribers, but had not completed the process by July 29, 2005.**

Not applicable. McLeodUSA provided notifications and warning labels via 1<sup>st</sup> class mail to all of its subscribers by the Commission's July 29, 2005 deadline.

- 2) **A quantification of the percentage of the provider's subscribers that have submitted affirmative acknowledgements as of the date of the September 1 and September 22 reports, and an estimation of the percentage of subscribers from whom the provider does not expect to receive an acknowledgement by September 28, 2005.**

As of September 21, 2005, McLeodUSA had obtained affirmative acknowledgement from approximately 90.9% of its VoIP subscriber base. McLeodUSA cannot predict with certainty what its final response rate will be, but estimates that 8% of its customers will still not have provided affirmative acknowledgement by September 28, 2005.

- 3) **A detailed description of any and all actions the provider plans to take towards any of its subscribers that do not affirmatively acknowledge having received and understood the advisory.**

McLeodUSA is continuing its campaign to contact and obtain affirmative acknowledgment from all of its subscribers. McLeodUSA will continue placing outbound calls to its current customers who have not yet submitted an affirmative acknowledgment and will do so until September 28, 2005.

However, as described above in response to Question 2, McLeodUSA expects that despite its diligent efforts, the Company will not be able to obtain affirmative acknowledgement from a small portion of its subscribers by September 28, 2005. Because McLeodUSA's DIA service is not subject to Commission Rule 9.5(e), McLeodUSA does not believe it is in the best interest of the health and safety of our subscribers to disconnect services on September 28, 2005, if an affirmative acknowledgement is not received from a particular customer location. McLeodUSA currently provides E911 services to each of these customer locations today and if disconnected, the customer locations would likely not have access to E911 services in the event of an emergency. McLeodUSA provides VoIP services to business locations as their primary local access method. McLeodUSA is expending its efforts on obtaining the required affirmative acknowledgement by using live persons to contact locations that have not yet responded.

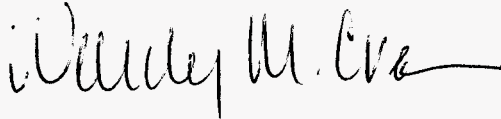
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McLeodUSA believes this action is consistent with the FCC's intent to ensure that Customers have E911 access when using McLeodUSA's DIA service.

**4) A detailed description of any and all plans to use a "soft" or "warm" disconnect (or similar) procedure for subscribers that fail to provide an affirmative acknowledgment by September 28, 2005.**

Not applicable. As detailed in response to Question 3, McLeodUSA is not required to and does not plan to disconnect those subscribers who fail to provide the Company with an affirmative acknowledgement by September 28, 2005.

Respectfully submitted,

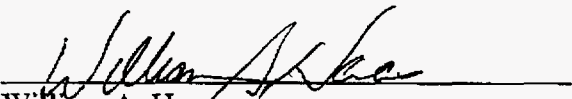


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McLeodUSA Telecommunications Services, Inc.

cc: Byron McCoy (FCC)  
Kathy Berthot (FCC)  
Janice Myles (FCC)  
Best Copy and Printing, Inc.  
William A. Haas (McLeodUSA)

I, William A. Haas, state that I am Associate General Counsel of McLeodUSA Telecommunications Services, Inc.; that I am authorized to submit the forgoing *Subscriber Acknowledgement Report* ("*Report*") on behalf of McLeodUSA Telecommunications Services, Inc.; that the *Report* was prepared under my direction and supervision; and I declare under penalty of perjury that the *Report* is true and correct to the best of my knowledge, information, and belief.

  
Name: William A. Haas  
Title: Associate General Counsel  
McLeodUSA Telecommunications Services, Inc.